**COURSE**: FYSM - 1502 A – GLOBAL GOVERNANCE AND HUMAN RIGHTS

**TERM**: Fall/Winter 2009-2010

**CLASS**: Day & Time: Wednesday & Friday 11:35 am - 12:55 pm  
Room: Please check with Carleton Central for current room location

**INSTRUCTOR**: Nick E. Milanovic

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**COURSE DESCRIPTION**

With recent advent of globalization and the restructuring in geo-political realities since World War II, international human rights law has become a central framework in which discussions on, and decisions about, various matters influence the relationship between states and other actors. In short, international human rights law increasingly shapes and constrains the relations between countries including the way in which governments chose to act within their own domestic sphere. As a result, international human rights law appears to be assuming an important (and not uncontroversial) status dedicated to safeguarding human dignity in the face of ongoing changes to the political, economic, social and cultural affairs of the world.

This course introduces you to some of the key terms and issues in international human rights law and attempts to make some sense of the recent transformation of the law. This course will explore the role of various actors (i.e. governments, corporations and non governmental organizations) in protecting and promoting international human rights law. Seminars in this class will attempt to grapple with the nature of international human rights law, why a change has occurred in its relevance and what the prospect this area of law might hold for the recognition and application of various human rights in the future. Importantly, this course will also provide students an opportunity to investigate a range of human rights issues of interest to them. Using international human rights as our substantive background, this course will also introduce students to, and develop, a range of skills, including:

(a) reading and following an argument;  
(b) writing for a specific purpose;  
(c) using a range of research tools;  
(d) introduction to analytical reasoning and writing;  
(e) using computer-based research, discussion and time-planning resources;  
(f) working in groups and engaging in respectful class discussion in different settings;
REQUIRED TEXTS

The reading assignments for this class have been compiled into a 'course pack' which is available for you to buy from Octopus Books, 116 3rd Avenue, Ottawa, ph: (613) 233 2589. The course pack is invaluable and must be purchased.

EVALUATION

(All components must be completed in order to get a passing grade)

1. **Writing Assignments: 20%**
   - Due October 07 – 5%
   - Due October 30 - 5%
   - Due February 26 - 5%
   - Due March 24 - 5%

2. **Group presentation: 20%**
   - Group plan (due Nov. 6)
   - Presentation handout
   - Presentation

3. **Essay (1st term): 20%**
   - Due: Dec. 4

4. **Annotated Bibliography: 10%**
   - Due February 12 in class

5. **Analytical essay (2nd term) 20%**
   - Due: April 7

6. **Participation – 10%**

THE ‘RULES’ on completing and handing in your assignments:

1. Assignments must be handed in on time and at the location specified in the assignment instructions. For assignments due to be handed in **DURING CLASS**, any assignment handed in after the end of class, WILL BE MARKED LATE.

2. As a rule, I DO NOT GIVE OUT EXTENSIONS unless there is an extreme case and with supporting documentation (a doctor’s note, a coroner’s certificate, etc).

3. **Late assignments will be deducted**: 1/2 mark for each day or part day it is late (for writing assignments), and 2 mark/each day or part day for all other assignments such as essays.

4. Any assignment **more than 7 days late** and without a valid excuse (see #2 above) **MUST BE SUBMITTED but will be an AUTOMATIC FAIL**.

5. All assignments must be double-spaced and typed, unless otherwise specified.

6. Students must submit all of the graded assignments for this course in order to pass.
SCHEDULE

FIRST SEMESTER (FALL, 2009)

Sept. 11  Introductions & Overview of Course

Assignment to be completed for next class:
Bring to the next class a newspaper article about an international human rights topic. The story must come from ONE of the following newspapers only: The Globe and Mail, The Financial Times, The Guardian, The Times, The New York Times, the Washington Post, The Observer or the Guardian Weekly. Come to class prepared to discuss the story you chose, why you chose it and your assessment of the newspaper’s coverage of the story. Stories from other newspapers WILL NOT be accepted.

Sept. 16  What is ‘international’? What are ‘human rights’?

Readings:
Daniel Madar, Canadian International Relations (Scarborough, Ont: Prentice Hall, 2000), pp. 97-100; 118-121.

Sept. 18/23  The United Nations System

Readings:

Sept. 25/30  Nongovernmental Organisations: Their role in human rights

Readings:

Oct. 2/7  Introduction to International Human Rights

Readings:
UN, “Fact Sheet 2: The International Bill of Rights,”;
‘The United Nations Human Rights System,’ from the Government of Canada web-site,(in course pack);
Texts of the Universal Declaration on Human Rights; International Covenants on Civil and Political Rights, and Economic, Social, and Cultural Rights (at front of reading pack).

Writing Assignment: Select a human rights issue concerning Canada that is of interest to you. Locate a newspaper article from the list of newspapers above (published since Sept. 2008) on your issue. Evaluate the article. What is the source? Do you think the article does a good job of describing and discussing the issue? Do you think the article gives enough/too much information? Are there relevant perspectives missing from the article? This assignment is due in class October 7, 2009. Reminder: Oct 9 - No classes and October 12 - Statutory Holiday
Oct 14/16  United Nations Human Rights System

Readings:
Amnesty International, 'What are Treaty Bodies?'

Oct 21/23 International Covenant on Civil and Political Rights: A Focus on Torture

Readings:
Texts of the International Covenant on Civil and Political Rights, and the Convention against Torture and other cruel, inhuman or degrading treatment or punishment (at the front of course materials).
Jason Burke, 'Secret World of US Jails,' The Observer 31 June 2004;

Oct. 28/30 International Covenant on Civil and Political Rights: A Focus on Torture (con’t)

Readings:

Research, Using the library and introduction to group work assignment
**The class on October 28 will be held in the library.**

This week, we will discuss the group work assignment and organise the groups. In preparation for the group work assignments, this class will also cover some issues around research and the different types of research sources. This session will be very helpful to students in completing the group presentation and essay assignments.

Writing Assignment: For this week’s assignment: Pick an international human rights issue of interest to you (it can be anything from a topic we’ve covered in class (i.e. torture) or anything else of interest (sex trafficking, the death penalty; equality for disadvantaged groups, prisoners of war, women’s rights, forced labour, child labour or other international worker’s rights issues).
Locate:
• ONE BOOK, The book should be relatively recent and located in the Carleton Library. You are not required to READ the book, but provide the following information: Title, author, publisher, ISBN number, year published, the number and titles of the book chapters; AND

• ONE ELECTRONIC SOURCE relating to your topic. For the electronic source, tell me the following information: how did you locate the source? What is it (ie a web page, an uploaded document, research paper, etc). Who is the author and why and from what perspective is the author writing? (ie is it a human right activist? A government department? A journalist?). Why did you choose this source? **The assignment will be due in class October 30th.**

**GROUP ASSIGNMENT:** Each group must have met at least once (and likely more times!!) as a group and have prepared a draft plan. ALL GROUPS MUST SUBMIT THEIR GROUP PLAN DURING CLASS, Nov. 6, 2008.

Nov. 4/6 International Covenant on Civil and Political Rights: A Focus on Torture (con’t)

Readings:
Memorandum for Alberto R. Gonzales Counsel to the President, from John C. Yoo Deputy Assistant Attorney General, Office of Legal Counsel, U.S. Department of Justice (August 1, 2002) pp. 1-50
Paul Koring, “What Ottawa doesn’t want you to know” Globe & Mail (25 April 2007)

Nov. 11/13 Group Presentations
Nov. 18/20 Group Presentations
Nov. 25/27 Group Presentations
Dec. 2nd Review & Conclusions
Dec. 4 Essay Due - Hand it in to the Law Department Office, 4th floor, Loeb Bldg. by the end of the business day.

SECOND SEMESTER (WINTER, 2010)

Jan. 6 Globalisation and Human Rights

Readings:

Jan. 8/13 International Humanitarian Law and the Yugoslav Civil War

Readings:
The Suitcase: Refugee Voices from Bosnia and Croatia, Julie Mertus et al, eds. (Berkeley, CA: University of California Press, 1997), 22-35; 42-43; 45-54;
Prosecutor v. Tadic, IT-94-1-T, 7 May 1997; read paragraphs 154-179; 180-193; 194-244 (** you must find and access this decision on your own)
Jan. 15/20 Yugoslav (cont’d)

Readings:
Letter to the Pre-trial-Chamber from Radovan Karadzic IT-95/18-I D11344-D11337 (1 August 2008)

Jan 22/27 International Humanitarian Law and Genocide

Readings:
Philip Gourevitch, *We Wish to Inform you that Tomorrow We Will Be Killed with Our Families: Stories from Rwanda* (New York: Picador, 1998), pp. 15-24, (ISBN 0312243359);

Jan 29/Feb 3 International Humanitarian Law and Genocide (cont’d)

Readings:
Gregory Stanton, ‘Bloodbath in the Making: Ten years after Rwanda, the world must not abandon Sudan’, *Globe and Mail*, 2 April 2004, A 17;

Feb. 5/10 Criminal Enforcement of Human Rights

Readings:

** Please note: the class for Feb 5 will be held in the library.**

Feb 12 Civil Enforcement of Human Rights

Readings:
*Doe v. Unocal*, case brief, Earthrights International;

Writing Assignment: A short research assignment which will require you to find, summarize and analyse a domestic enforcement case which will be distributed to the class February 9. *The assignment will be due in class February 26, 2010.*

Feb 15-19 READING WEEK – NO CLASSES
Feb 24/26  Civil Enforcement of Human Rights (con’t)

Readings:
Berger & Montague, PC, Case Brief: Presbyterian Church of Sudan et al v. Talisman Energy and the Republic of Sudan;
Presbyterian Church of Sudan et al v. Talisman Energy and the Republic of Sudan, Second Amended Class Action Complaint, excerpts.
Bil’in (Village Council) v. Green Park International Inc., Motion Introducing A Suit (7 July 2008)

March 3/5  Civil Enforcement of Human Rights (con’t)

Readings:
Bill C-492 An Act to amend the Federal Courts Act, (Ottawa: House of Commons, 2007)
Torture (Damages) Bill, (London: House of Lords, 2007)

March 10/12  Children’s Rights

Readings:
Human Rights Watch, ‘UN: Governments and Armed Groups Must Comply with New Security Council Resolution,’ no date;
Human Rights Watch, Always on Call: Abuse and Exploitation of Child Domestic Workers in Indonesia, 20 June 2005;

March 17/19  Women’s Rights

Readings:
Amnesty International, Broken bodies, Shattered Minds: Torture and Ill-Treatment of Women, ACT 40/001/2001 (excerpts);
March 24/26  Economic Social and Cultural Rights

Readings:

March 31  World Bank and the IMF

Readings:
Wendy Berliner, ‘School is a Feminist Issue,’ The Guardian Weekly, 2005;

Writing Assignment: Chose an international human rights policy the World Bank is working on or has completed on an issue and evaluate the Bank’s policies on the matter. Also indicate what you think (and why you think it) about the Bank’s efforts in this area and comment upon any future development’s you think are necessary in light of your research. Also comment upon how Korinna Horta’s might view the Bank’s work, given her view expressed in the article above, on the rights issue you have chosen and why you agree or disagree with this position. This assignment is due March 24, 2010. Reminder: April 2 is a Statutory Holiday

April 7 Review & Conclusions: Essay due today; submit the paper to the Law Department office, 4th floor, Loeb. Bldg. before the end of business day.

Readings: